

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARGARET MCCRARY,

Plaintiff,

- against -

MERRILL LYNCH, PIERCE, FENNER & SMITH
INCORPORATED,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/13/2024

23 Civ. 10768 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Court has reviewed the parties' joint letter requesting the Court hold a pre-motion conference regarding Defendant's anticipated motion to stay this case pending further developments in Valelly v. Merrill Lynch, Pierce, Fenner & Smith, Inc., 19 Civ. 7998 (VEC). (See Dkt. No. 15.) Judge Engelmayer had previously scheduled an pre-motion conference for February 9, 2024, to discuss this anticipated stay request. (See Dkt. No. 17.) In that order, Judge Engelmayer directed the parties to "be prepared to discuss intermediate options short of the full stay urged by the Defendant." (Id.) After Judge Engelmayer recused himself, this action was reassigned to this Court on February 9, 2024.

The Court's practice is to decide such motions on the papers, in lieu of a pre-motion conference. The parties are therefore directed to confer and, within four (4) days of the entry of this order, to each file a letter not to exceed three (3) pages discussing intermediate options short of a full stay, as

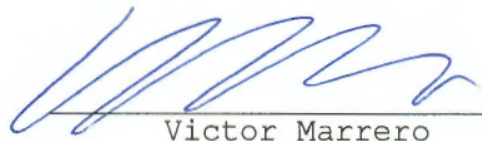
contemplated by Judge Englemayer's order. (See Dkt. No. 17.) After reviewing these letters, the Court will rule on Defendant's request for a stay.

Additionally, the initial pretrial scheduling order (Dkt. No. 6) directing the parties to file a proposed case management plan and an accompanying joint letter by February 14, 2024, is hereby vacated. The parties are directed to comply with the Court's Individual Practices.

Finally, the stay of Defendant's deadline to answer or otherwise respond to the complaint remains in effect, (see Dkt. No. 17), pending the Court's ruling on Defendant's motion to stay this action.

SO ORDERED.

Dated: 13 February 2024
New York, New York



Victor Marrero
U.S.D.J.